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PLEASE RESPOND TO WASHINGTON ADDRESS

March 10, 2016

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Presentation:
WC Docket No. 15-69, Petition for Limited, Expedited Waiver By Westelcom
Network, Inc. of Section 61.26(a)(6) of the Commission's Rules

Dear Ms. Dortch:

On March 8, 2016, James P. Forcier, Chief Executive Officer of Westelcom Network, Inc. ("Westelcom" or the "Company"), Paul F. Barton, President of Westelcom, along with the undersigned, met regarding the above-captioned matter with: Deena Shetler, Associate Bureau Chief of the Wireline Competition Bureau ("WCB"); Pamela Arluk, Division Chief of the WCB's Pricing Policy Division; Victoria Goldberg, Deputy Division Chief of the WCB's Pricing Policy Division; John Hunter, Chief Policy Counsel of the WCB's Pricing Policy Division, and Belinda Nixon also of the WCB's Pricing Policy Division. Later that same day, we met with Travis Litman, Senior Legal Advisor to Commission Rosenworcel. At these meetings, we provided the attached documents and used them for purposes of our presentation.

As part of the presentation, we urged prompt Commission action granting Westelcom's Petition. Such request is entirely consistent with the February 18, 2016 letter from Senator Kirsten Gillibrand and Senator Chuck Schumer (the "*NY Senators Letter*") wherein they stated that they too "urge the Federal Communications Commission (FCC) to grant a limited waiver petition for [Westelcom] with respect to 47 C.F.R. § 61.26(a)(6) of the FCC's rules. . . ." *NY Senators Letter* at 1. In this regard, the New York Senators also stated that they "are deeply concerned that the failure to act promptly in this matter will directly harm the rural areas served by Westelcom. . . . It is crucially important that the health and service needs of the constituents" in the Adirondack North Country Area of New York "are not compromised." *Id.* at 2.

As to the latter point from the New York Senators, Westelcom noted that a continued delay in promptly granting its waiver request will adversely impact Westelcom's ability to effectively manage its business through a phase down of the access rates. Furthermore, any delay in granting the Petition would also place additional pressure on the Company's ability to maintain its network and to meet increasing customer demand for advanced services (at increasing speeds) in the telemedicine field in the Adirondack North Country area where Westelcom operates.

Westelcom demonstrated in its filings and the attachments hereto and those included in its prior ex partes that a grant of Westelcom's Petition is in the public interest and advances the following Commission policies -- the provision of advanced services, advancement of rural telemedicine, and reasonable access charge transitions. Westelcom respectfully submits that these policies are better achieved by a grant of Westelcom's Petition rather than through the rote application of 47 C.F.R. § 61.26(a)(6). These policies are those that the Commission has established and encourages. By way of example, no serious question should exist that advancement of telemedicine in rural America is a policy that the Commission is seeking to advance. In fact, just recently, Commissioner Clyburn stated her support for that policy:

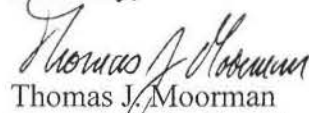
Updating our rate of return system adds to the list of universal service reforms that I am proud to say that I have supported since arriving at the FCC, including . . . *ensuring that rural health care providers have access to the telecommunications and broadband services their communities need and deserve.* Collectively these reforms will help ensure *that broadband access is a reality for all parts of our nation.*

Statement of FCC Commissioner Mignon L. Clyburn, Senate Committee on Commerce, Science, and Transportation, *Oversight of the Federal Communications Commission*, March 2, 2016 at 1 (emphasis added).

As Westelcom noted in the attachments hereto, the Commission's policies are equally shared by the Senators. "The relief requested in this waiver petition is consistent with the Commission's goal of ensuring the deployment of robust broadband networks in rural America, including the sparsely-populated rural Adirondack North Country region in New York, and the advancement of rural telemedicine networks." *NY Senators Letter* at 2. Likewise, the Senators noted their concerns on the lack of a reasonable transition period to Westelcom based on the facts that have been presented, and that, as a result of the switched access revenue loss experienced by Westelcom, "[w]e are deeply concerned that the failure to act promptly in this matter will directly harm the rural area served by Westelcom." *Id.*

This letter is being filed pursuant to Section 1.1206 of the Commission's rules. Please direct any inquiries regarding this matter to the undersigned.

Sincerely,


Thomas J. Moorman

Counsel to the Westelcom Network, Inc.

Attachments

cc: Travis Litman (via email)
Deena Shetler (via email)
Pamela Arluk (via email)
John Hunter (via email)
Victoria Goldberg (via email)
Belinda Nixon (via email)